

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1747-02
Bill No.: Perfected HCS for HB 668
Subject: Liability; Real and Personal Property
Type: Original
Date: April 8, 2009

Bill Summary: The proposal abolishes the duty to retreat in cases where an owner or lessor of property encounters a threat while present on his or her lands, prohibits political subdivisions from restricting the open carrying of firearms and requires them to incorporate the justifiable use of force defenses into local ordinances regarding weapon offenses, and removes the prohibition on persons with concealed carry endorsements carrying concealed firearms into an institution of higher education.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
General Revenue	(\$2,000)	\$0	\$0
Total Estimated Net Effect on General Revenue Fund	(\$2,000)	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 7 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Total Estimated Net Effect on FTE	0	0	0

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2010	FY 2011	FY 2012
Local Government*	\$0	\$0	\$0

*Offsetting revenues from concealed carry endorsement fees and costs for processing the applications.

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Public Safety – Missouri State Highway Patrol, – Director’s Office, Office of the State Public Defender, and the Springfield Police Department** assume the proposal would have no fiscal impact on their agencies.

Officials from the **Office of State Courts Administrator** assume the proposed legislation would have no fiscal impact on the courts.

Officials from the **Department of Corrections (DOC)** state, with regard to § 571.070, DOC files do not include information as to specific firearms used in crimes. Due to limited numbers and access of these types of firearms, it is assumed passage of this proposal would not encompass a significant number, if any, future perpetrators. Perhaps another agency with specific weapons data regarding firearms offenses can address the number of crimes this bill would impact, otherwise DOC assumes no fiscal impact.

Officials from the **Department of Revenue (DOR)** state Section 571.101 lowers the minimum age to obtain a concealed carry weapons endorsement from age 23 to age 21. Officials assume this requires a change to the Missouri Electronic Driver License system to modify the age edit to obtain a CCW endorsement. DOR will also need to update their website information regarding concealed carry endorsement issuance.

DOR assumes they will incur the following Administrative Impact:

- Update their website information regarding concealed carry endorsement issuance; and
- Work with the Missouri Sheriff’s Association to ensure all Sheriff Agencies are notified of changes in age requirements.

DOR assumes this legislation will require programming changes to the Missouri Electronic Driver License (MEDL also referred to as Over The Counter-OTC) software and supporting applications. These programming changes will need to be designed and tested. DOR assumes 20 estimated hours for project completion (requirements and system testing) x \$100 (hourly rate for an OTC contractor) = \$2,000

ASSUMPTION (continued)

DOR states Office of Administration Information Technology (ITSD DOR) estimates that this legislation could be implemented utilizing one existing CIT III for 1 month at a rate of \$4,441. Office of Administration Information Technology (ITSD DOR) estimates the IT portion of this request can be accomplished within existing resources; however, if priorities shift, additional FTE/overtime would be needed to implement.

Officials from the **Office of Prosecution Services (OPS)** assume the potential fiscal impact on county prosecuting attorneys will depend on the extent to which law enforcement agencies choose to enforce this provision and/or are able to enforce this provision. If law enforcement agencies make arrests under this provision, there may be an impact based on the additional cases that may be filed. OPS assumes this legislation would not have any significant fiscal impact on the OPS.

Oversight assumes county prosecutors could absorb any increase in cases referred to prosecutors within existing resources.

Officials from the **Boone County Sheriff's Department** assume Section 571.101 could result in fiscal impact to their department. Revenues may increase proportionate to the number of people between 21 and 23 who become eligible and apply for permits. Officials assumes staff costs would potentially increase due to the increased number of applications to be processed and eligibility checks to be conducted.

Oversight assumes county sheriffs departments could experience increased revenues and increased costs due to the increased number of applications. For fiscal note purposes, Oversight assumes the revenues generated will equal the costs for processing the applications.

HA 1 – Section 571.107 – Removes Prohibition on Carrying Concealed Firearms into Institution of Higher Education

In response to a similar proposal from the current session (HB 645, LR # 1265-02), officials from **Linn State Technical College, Missouri Western State University, and Metropolitan Community College of Kansas City** assume the proposal would have no fiscal impact on their agencies.

In response to a similar proposal from the current session (HB 645, LR # 1265-02), officials from **Missouri State University and Missouri Southern State University** assumed there would be a minimal fiscal impact to their agencies.

ASSUMPTION (continued)

Officials from the **University of Central Missouri (UCM)** assume they would incur an estimated \$6,000 in administrative costs of this legislation were interpreted to allow concealed weapons on college campuses. Costs would include changing signage, policy changes, website changes, printed handouts, etc. to effect the change in policy, since UCM currently allows only law enforcement to carry concealed weapons.

Oversight assumes institutions of higher education could absorb any minimal costs incurred as a result of the implementation of the proposed legislation within existing resources.

Officials from the Buchanan County Sheriff's Department, Clark County Sheriff's Department, Jackson County Sheriff's Department, St. Louis County Police Department, Columbia Police Department, Kansas City Police Department, and the St. Louis Metropolitan Police Department did not respond to Oversight's request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
GENERAL REVENUE FUND			
<u>Costs – Department of Revenue</u>			
Contractor for programming changes	<u>(\$2,000)</u>	<u>\$0</u>	<u>\$0</u>
ESTIMATED NET EFFECT ON GENERAL REVENUE FUND	<u>(\$2,000)</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2010 (10 Mo.)	FY 2011	FY 2012
LOCAL GOVERNMENT			
<u>Revenues</u> – Local Sheriff Departments			
Concealed carry application fees*	Unknown	Unknown	Unknown
<u>Costs</u> – Local Sheriff Departments			
Application processing*	<u>(Unknown)</u>	<u>(Unknown)</u>	<u>(Unknown)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENT	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

* Revenues generated from concealed application fees would equal the costs to local law enforcement for processing the applications.

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

The proposed legislation lowers the minimum age requirement for obtaining a concealed carry endorsement from 23 years of age to 21 years of age (Section 571.101).

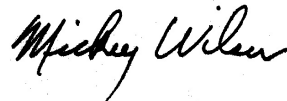
This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Department of Public Safety
– Missouri State Highway Patrol
Office of Prosecution Services
Office of the State Public Defender
Boone County Sheriff's Department
Springfield Police Department
Metropolitan Community College of Kansas City
Missouri Southern State University
Missouri Western State University
Missouri State University
Linn State Technical College
University of Central Missouri

NOT RESPONDING

Buchanan County Sheriff's Department
Clark County Sheriff's Department
Jackson County Sheriff's Department
St. Louis County Police Department
Columbia Police Department
Kansas City Police Department
St. Louis Metropolitan Police Department



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Director
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